

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION - Detroit

IN THE MATTER OF:
CITY OF DETROIT, MICHIGAN

Chapter 9
Case No. 13-53846
Debtor. Hon. Steven W. Rhodes

**ORDER RESOLVING RESNICK & MOSS'S MOTION FOR RELIEF FROM
THE AUTOMATIC STAY, FOR ENTRY OF THE ORDER NUNC PRO TUNC
EFFECTIVE JULY 31, 2013 AND FOR WAIVER OF PROVISIONS OF
FED.R.BANKR.P. 4001 (a) (3)**

Upon consideration of the parties' stipulation resolving Resnick & Moss, P.C.'s ("Movant") Motion for Relief from the Automatic Stay, for entry of the order Nunc Pro Tunc with an effective date of July 31, 2013 and for Waiver of Provisions of Fed. R. Bankr. P. 4001 (a)(3) and the Court being duly advised of the premises;

IT IS ORDERED that:

- 1) Relief from that automatic stay applicable under 11 U.S.C. § 922(a) and 11 U.S.C. § 362(a) is GRANTED. The automatic stay provisions of 11 U.S.C. 362(a) are modified for the limited purpose of permitting the Movant, on behalf its clients, or its clients to take all steps necessary to file property tax appeals against or involving the City of Detroit.
- 2) This Order shall apply to and the stay shall be modified only with respect to property tax appeal applications having a filing deadline of July 31, 2013.
- 3) The Movant and its clients shall not take any action to prosecute the appeals or collect any refund of any pre-petition property tax overpayment absent further order of this Court.
- 4) This order is granted Nunc Pro Tunc. This order and the relief granted herein, stay shall have an effective date of July 31, 2013, notwithstanding the date of the entry of the order. Any tax appeals that are filed by Movant, or its clients, on July 31, 2013 shall not be determined to violate the automatic stay.

- 5) This Court finds that Rule 4001 (a) (3) of the Federal Rules of Bankruptcy Procedure is waived and Resnick & Moss, P.C., and its clients may immediately file and commence property tax appeals against the City of Detroit.

Signed on August 06, 2013

/s/ Steven Rhodes
Steven Rhodes
United States Bankruptcy Judge